HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3015 OF 2006.

M/s. Indian Ex-Services League, Maharashtra..Petitioner.

Versus.

Mr. Vishwanath Joshi & Others. ..Respondents.

Shri. S. S. Kulkarni for the Petitioners.

Smt. V. S. Mhaispurkar for the respondent Nos. 3 to 5.

CORAM: S.B.MHASE, J.

DATE : MAY 3, 2006.

P.C.

1. Petitioners have approached to this Court since application filed by them before the Charity Commissioner in Appeal No. 11 of 2006 to consider the grant of stay to the order dated 22.2.2006 passed by Deputy Charity Commissioner, Greater Bombay is not being disposed of since March 2006.

2. The change report filed by the petitioner bearing No. 5045/2003 is rejected vide order dated 22.2.2006 by the Deputy Charity Commissioner, Greater Bombay. Appeal No. 11 of 2006 has been filed by the petitioner along with the stay application for interim relief. Learned counsel submits that the other side is

prolonging the said application, and that in view of the rejection of the change report the bank has stopped the account operation and therefore for a period of two months salaries of the employees have not been paid. Under these circumstances, learned counsel submits that the grievance of the petitioner will be redressed if the direction are given to dispose of the interim application filed in Appeal No. 11 of 2006 as early as possible, in any circumstances before 11.5.2006 since the matter is fixed on 11.5.2006. Looking to the facts which are stated above and keeping in mind that the Trust has to function, namely, the activities of the Trust shall not suffer and beneficiaries shall not suffer, the appropriate arrangement is required to be made by the Charity Commissioner. In any case the deadlock is to be avoided. Charity Commissioner is, therefore, directed to dispose of the stay application after hearing both sides before 11.5.2006. Petition is disposed of with these directions.

(S.B.MHASE, J.)